

Motion GRANTED.
Hearing reset for
11/29/12 at 9:00 a.m.

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)
)
v.) Case No. 3:11-cr-00003-1
)
JAMES R. SMITH) Judge Trauger

MOTION TO CONTINUE SENTENCING HEARING DATE

COMES NOW the Defendant, **James R. Smith**, by and through his undersigned counsel, and respectfully requests that this Honorable Court enter an Order continuing the sentencing hearing in his case from Friday, November 2, 2012 at 9:00 a.m. to a later date convenient to the Court and counsel. In support hereof, Defendant states as follows:

1. This sentencing hearing in this case is currently set for Friday, November 2, 2012 at 9:00 a.m. This is the first setting for trial.

2. This Court is currently engaged in the trial of *United States of America v. Gentry, et al.* The trial is in its second week and will not conclude on or before Friday, November 2, the date of the *Smith* sentencing. The parties will need sufficient time to subpoena necessary witnesses for the *Smith* sentencing.

WHEREFORE, based on the foregoing, Defendant Smith respectfully requests that this Honorable Court enter an Order continuing the sentencing hearing in his case from Friday, November 2, 2012 at 9:00 a.m. to a later date convenient to the Court and counsel.